

Message

From: Biggio, Patricia [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2A9A640A9A2941C5A9BE1C4967E71718-BIGGIO, PAT]
Sent: 6/24/2020 11:58:22 AM
To: Friedman, Dana [Friedman.Dana@epa.gov]
CC: Manupella, Matthew [Manupella.Matthew@epa.gov]
Subject: RE: OPP's Submission for the Weekly Report to the Administrator
Attachments: TCVP Admin weekly report.docx

Thank you for the examples. Draft paragraph is attached here and copied below.

(INTERNAL) Natural Resource Defense Council (NRDC) Petition to cancel all pet uses for Tetrachlorvinphos (TCVP)

OPP is preparing to respond to the 2009 NRDC petition to cancel all TCVP pet uses by July 21, 2020 per the Ninth Circuit Court's ruling on April 22, 2020. TCVP is an organophosphate (OP) insecticide registered for use on livestock, companion pet animals (cats and dogs), and their premises. Pet-use formulations include liquid sprays, dust powders, and collars to primarily target fleas and ticks. OPP intends to deny the petition based on risk estimates for the liquid sprays and registrant-proposed mitigation for the dust powders and collars. The registrant is proposing to cancel the dust powders, one pet collar, and redesign the remaining collars to reduce risk estimates. Risk estimates for liquid spray products do not exceed the agency's level of concern.

Ex. 5 Deliberative Process (DP)

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Ex. 5 Deliberative Process (DP) Most pet-use products are registered by the Hartz Mountain Corporation. One dust product with pet uses is registered by Chem-Tech and will be amended to delete use on cats and dogs. TCVP is currently under registration review.

From: Friedman, Dana <Friedman.Dana@epa.gov>
Sent: Wednesday, June 24, 2020 6:09 AM
To: Biggio, Patricia <biggio.patricia@epa.gov>
Cc: Manupella, Matthew <Manupella.Matthew@epa.gov>
Subject: FW: OPP's Submission for the Weekly Report to the Administrator

Trish,

It looks like we're going to need the paragraph on TCVP by the end of next week to start the process of having it incorporated into the Administrator's weekly report. Below are some examples of what OPP has sent forward recently that you can use to model the TCVP paragraph. Please just let me know if you have any questions.

Thanks,
Dana

From: Sherman, Kelly <Sherman.Kelly@epa.gov>
Sent: Wednesday, June 17, 2020 11:53 AM

To: OPP PRD Managers <OPP_PRD_Managers@epa.gov>

Subject: FW: OPP's Submission for the Weekly Report to the Administrator

See attached and below for examples for the Administrator's report.

Kelly Sherman
Chief, Risk Management and Implementation Branch III (RMIB III)
Pesticide Re-Evaluation Division
Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 305-8401

From: Dinkins, Darlene

Sent: Wednesday, June 17, 2020 11:48 AM

To: Sherman, Kelly <Sherman.Kelly@epa.gov>

Subject: FW: OPP's Submission for the Weekly Report to the Administrator

Hi Kelly,

I've attached the Weekly Report that Tom Tyler submitted to the Administrator last week. See below for what we just sent to Tom this morning.

Darlene Dinkins

Office of Pesticide Programs
U.S. Environmental Protection Agency
(703) 305-5214

From: Dinkins, Darlene

Sent: Wednesday, June 17, 2020 9:07 AM

To: Tyler, Tom <Tyler.Tom@epa.gov>; Malloy, Ruth <malloy.ruth@epa.gov>

Cc: Keigwin, Richard <Keigwin.Richard@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Arnold Layne (Layne.Arnold@epa.gov) <Layne.Arnold@epa.gov>; Grable, Melissa <Grable.Melissa@epa.gov>; Stillman, Sarah <Stillman.Sarah@epa.gov>; Dennis, Allison <Dennis.Allison@epa.gov>; Siedschlag, Gregory <Siedschlag.Gregory@epa.gov>; Motilall, Christina <Motilall.Christina@epa.gov>

Subject: OPP's Submission for the Weekly Report to the Administrator

Good morning Tom and Ruth,

Please find below OPP's submission for the Weekly Report. We will provide the current List N numbers later this morning and we also have another item that we will send soon (Nootkatone).

Hot Topics

COVID-19 Updates:

List N: Disinfectants for Use Against SARS-CoV-2

This past week, OCSPP added new products to List N, bringing the total to .

Electrostatic Sprayer Guidance

Given the recent increased interest to disinfect large indoor spaces to reduce the risk of exposure to the virus that causes COVID-19, OCSPP has been approached by several companies seeking to add electrostatic spray methods of application to antimicrobial product labels. Within the next two weeks, pending OMB flash review, OCSPP plans to release guidance for registrants on information needed for expedited reviews to add electrostatic spray application directions to antimicrobial product registrations on EPA's Disinfectant List N.

Status of Product Testing of Human Coronavirus

OCSPP's laboratories at the Environmental Science Center in Ft. Meade are currently testing 25 List N products. The analytical chemistry laboratory has completed the formulation analysis of 21 of the 25 products and the microbiology laboratory has tested 17 List N products for efficacy against a surrogate coronavirus. No virus has been recovered from six of the product tests, which means that the tested products are effective against the surrogate. Results for the remaining eleven products will be available later this week. The microbiology laboratory will begin testing against SARS-Cov-2, the virus that causes Covid-19, after we receive the necessary PPE.

Upcoming Major Decisions and Events

Nootkatone Proposed Decision

Within the next two weeks, OPP will be publish for public comment in the Federal Register, the proposed decision on Nootkatone, a new biopesticide active ingredient. Nootkatone was discovered and developed by the Centers for Disease Control and Prevention (CDC) for its future use in insect repellent and pesticide products for protecting people and pets from mosquitoes and ticks. CDC has since transferred the technology to Evolva, who has the pending registration for the technical product before the agency. If formulated into an insecticide, Nootkatone could be another tool to assist in the fight against insect-borne diseases and the growing levels of insecticide resistance to other products (pyrethroids, organophosphates, carbamates and cyclodienes) currently on the market. After reviewing public comments, EPA will finalize its decision on Nootkatone in July. This registration step is the initial one that could lead to end use products containing Nootkatone introduced into the US in two years.

PIPs Rule Status Update

The revised draft proposed Plant-Incorporated Protectant (PIP) rule was submitted to OMB on June 3, 2020. The draft was modified and now requires the submission by developers of their self-determination or a request that EPA confirm that their PIP meets the exemption. Other modifications include strengthened language on EPA's ability to pursue enforcement activities, noting that EPA can reevaluate any self-determination or EPA confirmation at any time, and also instituting record keeping requirements to require developers to keep documentation that a PIP meets the criteria for exemption for both the self-determinations and EPA confirmation submissions. In addition, EPA worked with FDA to strengthen the justification in the request for comment on a mandatory confirmation process. The draft proposal also requests comment on making the EPA confirmation process mandatory.

EPA, OMB, and FDA had a call on June 11, 2020. USDA did not attend the call and it was unclear whether USTR attended. The call was generally favorable for the rule. OMB asked minor clarifying questions, several of which were explained by EPA satisfactorily in the call. FDA also asked some questions and will provide suggested language in the next round of pass back.

Endangered Species Act Report to Congress

The second report to Congress on Endangered Species Act (ESA) consultations for pesticides is currently in review by OMB and is due to Congress no later than June 20, 2020. The report provides Congress with an accounting of the progress made by the Interagency Working Group (IWG) in developing recommendations to improve the consultation process required under section 7 of the ESA for pesticide registration and registration review. The IWG (EPA, USDA, DOC, DOI, and CEQ), presents the report to (1) describe the progress of the

IWG in developing the recommendations and (2) identify areas of new consensus as well as continuing topics of disagreement and debate among the covered agencies. The report reflects perspectives of each covered agency at the time of this report's preparation.

Resubmissions

COVID-19 Related Worker Training Memo

By mid-late June, OCSPP plans to issue a memo addressing pesticide safety training of farmworkers and pesticide handlers in agriculture as required by the Agricultural Worker Protection Standard (WPS) (40 CFR 170). It will clarify that pesticide safety training may be presented remotely, provided that WPS training requirements are met, and will provide suggestions for effective remote training.

COVID-19 Related Applicator Certification Memo

By mid-late June, OCSPP plans to issue a memo addressing reported impacts on the training and certification of pesticide applicators under the Certification of Pesticide Applicators (CPA) rule (40 CFR 171). It would allow use of flexibilities if not likely to significantly diminish the competency of applicators of restricted use pesticides; flexibilities also will not undermine the future of the certification program.

WPS Application Exclusion Zone Final Rulemaking

By late June, OCSPP plans to issue a draft final rule revising the application exclusion zone (AEZ) requirements in the Agricultural Worker Protection Standard (WPS). The proposed rule was issued for public comment in November 2019, and the comment period closed January 30, 2020. The final rule intends to revise the AEZ so it is applicable and enforceable only on a farm owner's property; exempt immediate family members of farm owners from the requirement to leave their home within an AEZ; add clarifying language regarding when suspended applications may be resumed; and clarify and simplify the criteria for deciding whether pesticide applications are subject to a 25- or 100-foot AEZ.

Pollinator Proclamation

Next week, Administrator Wheeler is expected to sign a proclamation with the Pollinator Partnership to facilitate cooperation and coordination to reduce the likelihood of adverse effects on pollinators, their habitats, and associated ecosystems from the use of pesticides. The issuance of the proclamation will occur during National Pollinator Week, June 22-28, which is organized by the Pollinator Partnership. OCSPP plans to support pollinator week by communicating about the importance of safe and proper pesticide use to help pollinators, actions people can take to help pollinators, and the work that EPA is doing to help pollinators.

Darlene Dinkins

Office of Pesticide Programs
U.S. Environmental Protection Agency
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